

HOOVER CITY COUNCIL MINUTES OF MEETING

DATE: June 20, 2016

TIME: 6:00 P.M.

PLACE: Hoover Municipal Center

PRESENT: Mayor Gary Ivey
Mr. Jack Wright, Council President
Mr. John Greene, Council Member
Mr. John Lyda, Council Member
Admiral Jack Natter, Council Member
Mr. Joe Rives, Council Member

ABSENT: Mr. Gene Smith, Council Member
Mr. Brian Skelton, Council President Pro-Tempore

ALSO PRESENT: Mr. Charlie Waldrep, Waldrep Stewart & Kendrick, City Attorney
Ms. Leslie Klasing, Waldrep Stewart & Kendrick
Ms. April Danielson, Waldrep Stewart & Kendrick
Mr. Fred Simpler, Waldrep Stewart & Kendrick
Mr. Nic Waddell, Waldrep Stewart & Kendrick
Mr. Bob House, House Consultants
Mr. Tommy Daniel, Director, Public Works
Chief Nick Derzis, Police Chief
Ms. Susan Fuqua, Director, Municipal Court
Ms. Patricia Guarino, Library
Mr. Mike Lewis, Director, Human Resources
Mr. Frank Lopez, Director, Revenue and Taxation
Dr. Melinda Lopez, Director, Information Management & Reporting
Mr. Craig Moss, Director, Parks and Recreation
Mr. Allen Pate, Executive Director
Mr. Ben Powell, Purchasing Director
Chief Chuck Wingate, Fire Chief
Mr. Jim Wyatt, Director, Inspection Services
Mr. Robert Yeager, Finance Director

The meeting was called to order by Council President Jack Wright.

The clerk had roll call and a quorum was present.

The clerk gave the invocation.

The Pledge of Allegiance was led by Mr. Rives.

1. REPORTS

Mr. Greene made a motion to approve the following **position changes** to the **Board of Zoning Adjustments**: (1) Move Lawren Pratt from his current supernumerary position to a regular voting member to fill the unexpired term of Allan Rice whose term expires June 1, 2019; (2) Move Paul Gamble from his current supernumerary position to a regular voting

member to fill the unexpired term of Guy Locker whose term expires June 7, 2017; and (3) Bob Brown and Jim Brush, who were appointed at the June 6, 2016 Council Meeting, will replace Lawren Pratt and Paul Gamble as supernumeraries. Both terms expire on May 31, 2018.

This motion was seconded by Mr. Lyda. On voice vote the motion carried unanimously.

2. **APPROVAL OF MINUTES**

Mr. Wright stated each member of the Council had previously received a copy of the minutes of the June 6, 2016 regular meeting.

Admiral Natter made a motion that the minutes be approved as presented and to dispense with the reading. This motion was seconded by Mr. Rives. Mr. Wright called for discussion. There being none, on voice vote the motion carried unanimously.

3. **RESCHEDULE JULY 4, 2016 MEETNG TO TUESDAY, JULY 5, 2016**

Admiral Natter made a motion to reschedule the Monday, July 4, 2016 City Council meeting to Tuesday, July 5, 2016 due to the Independence Day holiday. This motion was seconded by Mr. Rives. On voice vote the motion carried unanimously.

4. **RESOLUTION NO. 5424-16 – AMEND BUDGET FYE 9/30/16**

The City Attorney read Resolution No. 5424-16. This would amend the Budget for Fiscal Year Ending September 30, 2016 as shown on the Exhibit A attached to the resolution.

Admiral Natter made a motion to approve **Resolution No. 5424-16**. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council or the audience.

Admiral Natter asked Chief Derzis to give an overview of the police department items. Chief Derzis said the equipment being requested totals out to \$232,000 and that money will come out of the drug fund. Items include a new open vision c-arm live portable xray system, a mini portable backscatter xray system, a few radar speed trailers, some bleed control kits for the schools. Admiral Natter asked how the purchase of the equipment would affect manpower requirement. Chief Derzis said it does not require any additional manpower. Mr. Rives inquired as to how the drug money is distributed when collected. Chief Derzis said the Hoover Police Department partners with the Jefferson County Sherriff's Department on a task force so if currency is taken off of the interstate it is a 40%/40% for Hoover and Jefferson County and 20% to the federal government.

There being no additional questions from the Council or the audience, on voice vote the motion carried unanimously.

5. **RESOLUTION NO. 5425-16 – BID NO. 11-16 – FIRE DEPARTMENT UNIFORMS AND ACCESSORIES**

The City Attorney read Resolution No. 5425-16. This would reject the bid of Municipal and Commercial Uniforms and Equipment, Inc. regarding Bid No. 11-16 for Fire Department Uniforms and Accessories, as theirs was the only bid received. This would also authorize Mayor Ivey to negotiate and execute an agreement with said company for the purchase of said items at a price not to exceed their quoted bid amount.

Admiral Natter made a motion to approve **Resolution No. 5425-16**. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council or the audience. There being none, on voice vote the motion carried unanimously.

6. **PUBLIC HEARING – ABATEMENT OF WEEDS AND/OR GRASS NUISANCES – RESOLUTION NO. 5423-16**

The City Attorney read Resolution No. 5423-16. This would order for the abatement of weeds and/or grass nuisances at 1858 Burning Tree Circle, 6174 Valley Station Circle and 3256 Mockingbird Lane. These properties were previously declared as public nuisances through the City Council by Resolution No. 5410-16.

Admiral Natter made a motion to approve **Resolution No. 5423-16**. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council. There being none, he asked if there was anyone present who wished to speak in opposition to the proposed resolution. There being none, on voice vote the motion carried unanimously.

7. **RESOLUTION NO. 5426-16 – DECLARE PROPERTIES AS PUBLIC NUISANCES DUE TO WEEDS AND/OR GRASS**

The City Attorney read Resolution No. 5426-16. This would declare properties at 635 Trace Crossings Trail and 1729 Valpar Drive as public nuisances due to weeds and/or grass.

Admiral Natter made a motion to approve **Resolution No. 5426-16**. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council. There being none, he asked if there was anyone present who wished to speak in opposition to the proposed resolution. There being none, on voice vote the motion carried unanimously.

8. **2ND READING ORDINANCE NO. 16-2302 – VACATE PORTION OF RV TRACE RIGHT OF WAY**

The City Attorney had the Second Reading of Ordinance No. 16-2302. This would vacate a portion of RV Trace right of way for the erection and maintenance of a public building. A sufficiently ample portion of the roadway shall remain open to accommodate travel and traffic of the general public. The proposed vacation was approved by the Planning and Zoning Commission at its May 9, 2016 meeting.

Admiral Natter made a motion to adopt **Ordinance No. 16-2302**. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council or the audience. There being none, on roll call vote of the Council the votes were as follows: Mr. Greene, “Yea”; Mr. Lyda, “Yea”; Admiral Natter, “Yea”; Mr. Rives, “Yea”; and Mr. Wright, “Yea”. The motion carried unanimously.

9. **2ND READING ORDINANCE NO. 16-2307 – AUTHORIZE ISSUANCE OF \$80,000,000 GENERAL OBLIGATION WARRANTS, SERIES 2016**

The City Attorney had the Second Reading of Ordinance No. 16-2307. This would authorize the issuance of not exceeding \$80,000,000 principal amount of general obligation warrants, Series 2016.

Admiral Natter made a motion to adopt **Ordinance No. 16-2307**. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council.

Mr. Lyda said the proposal that first came before the Council in December was a \$70 million project and it is now a \$76 million project. He asked why the issuance is not being capped at 76 million.

Mr. Yeager said one reason is that all of the bids have not been opened at this point. He said he believes \$76 million is a good number but is trying to leave some cushion if it is not a good number. Secondly, interest rates are as low as they have ever been and this is probably as good a time as it has ever been for the city's money. Last but not least any of this overage can be used to fund existing capital projects previously approved in the capital projects fund or fund future capital projects.

Mr. Lyda said usually capital projects such as fire stations go through the process of setting a budget, approving the budget and take change orders as things come up. He asked why this project would be handled differently as to why we would not examine each change order as we go along and make a decision if we get out of line with our original budget.

Mr. Yeager said there are multiple bid packages going out at different times. Two have already been approved and there are several more. Budgets have been estimated on each one of those. All of those numbers add up to the \$76 million. So, any movement within those budgets could create an overage or an underage but when we go to market we need to know because we do not need to go back to market a few months later if we come up short. So, he felt it was in the city's best interest to go ahead and get more than we need and use that money to fund future projects rather than trying to go back to the rating agencies and the market to borrow more money.

Admiral Natter asked if in fact the \$4 million in excess of the \$76 million is not utilized will it go into the general fund budget. Mr. Yeager said it will go into the capital projects budget. Admiral Natter asked if we could change it around if we wanted to. Mr. Yeager said the borrowed money has to be used for capital projects. It would free up funds if we chose to use those proceeds to fund an existing project then, yes, that money would be freed up. Admiral Natter clarified it would be freed up to go in the general fund. Mr. Yeager said yes, it could. Admiral Natter said it could be utilized however the city wanted such as for donations or to help the schools if needed. Mr. Yeager concurred.

Mr. Curt Posey, 238 Cambo Drive, asked that before the city issues these bonds does the city have a set plan and events already on the books to pay for this. Additionally, he asked if the city has a list of capital projects that it would consider using these funds for should there be an underage as mentioned earlier. Mr. Wright said there is a list of capital projects and the city will provide that list to him. Mr. Posey asked again if there were events coming in to pay for this facility. Mr. Wright said the city is working on it full speed.

Mr. Casey Middlebrooks, 2395 Abby Glen Circle, requested that the Council consider sharing the feasibility and economic impact study with the public on the website.

There being no further discussion, on roll call vote of the Council the votes were as follows: Mr. Greene, "Nay"; Mr. Lyda, "Nay"; Admiral Natter, "Yea"; Mr. Rives, "Yea"; and Mr. Wright, "Yea". The motion carried.

10. SET PUBLIC HEARINGS FOR MONDAY, JULY 18, 2016

Mr. Wright said public hearings are hereby set for Monday, July 18, 2016, to consider the following items which come forward with a positive recommendation from the June 13, 2016 Planning and Zoning Commission meeting:

- a. Mr. Brandon Jensen, Rockwell Hoover LLC, is requesting **Conditional Use** approval for an event center for social/corporate events and live entertainment (Noah's Event Venue) to be located at 2505 International Park Lane. Rockwell Hoover LLC is the property owner and the property is zoned PO Planned Office. *PZ Case #C-0616-07*
- b. The City of Hoover is rezoning recently annexed property located at 1833 Burning Tree Circle, owned by Robert and Margaret Gornati, from Jefferson County R-1 to Hoover R-1 Single Family Residential District. *PZ Case #Z-0616-06*

The City Attorney had the **First Reading Ordinance No. 16-2308**.

17. PAYMENT OF BILLS

Mr. Rives made a motion that the bills be paid as submitted. This motion was seconded by Admiral Natter. Mr. Wright called for questions or comments from the Council or the audience. There being none, on voice vote the motion carried unanimously.

Mr. Wright called for additional comments or questions from the Council or the audience. There being none, the meeting was adjourned.

Margie Handley, City Clerk